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ATTORNEY FOR PLAINTIFF
SHARON PATTERSON

THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

SHARON PATTERSON,)	No. 2:05-CV-0827-MCE-JFM
)	
Plaintiff,)	
)	
v.)	JOINT STIPULATION REQUESTING
)	AN EXTENSION OF CERTAIN
CALIFORNIA DEPARTMENT OF)	PRETRIAL DEADLINES AND
GENERAL SERVICES, RAY ASBEL)	ORDER
and INTER-CON SECURITY,)	
)	
Defendants.)	
_____)	

I. INTRODUCTION

That parties hereto, by and through their respective counsel, hereby stipulate to request an extension of the following pretrial deadlines:

- A. Discovery, from 9\30\06, to 10\31\06;
- B. Dispositive Motion Hearing, from 10\13\06, to 12\18\06;
- C. Expert Designation, from 10\16\06, to 11\30\06.

The parties have further stipulated to request that the Court permit hearing of any issues related to a mental exam and production of related records to be permitted to be set for hearing no later than November 17, 2006.

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1 **II. BASIS FOR THE REQUEST**

2 This is the second request by the parties to extend pretrial deadlines. The reason for this
3 second request is that when the parties made the first request it was the intention of the parties
4 to conduct the discovery necessary to prepare this case for trial during June, July, August and
5 September. Unfortunately, Plaintiff's counsel was unavailable during a substantial portion of
6 that time due to family emergencies. Plaintiff's counsel's uncle, Father John Schuett, S.J., died
7 in June and counsel had to travel to Michigan for the funeral and to assist in ordering his uncle's
8 affairs. In July, counsel and his family learned that his wife's brother was dying of cancer.
9 Months before the two families had planned to meet in Northern Michigan to spend time
10 together. Shortly before the trip was to occur, counsel's brother-in-law's condition had
11 deteriorated to the point he could not drive his family to the summer home in Michigan, so
12 counsel flew to Chicago, picked up his brother-in-law and his family and drove them to Northern
13 Michigan. He subsequently drove his brother-in-law and his family back to Chicago. Two
14 weeks later, counsel and his family had to return to Chicago for his brother-in-law's funeral.
15 After their return to California, counsel himself had to undergo surgery.

16 As a result of counsel's family emergencies, during a substantial portion of the time the
17 parties intended to complete discovery, no discovery could be done. Once Plaintiff's counsel
18 returned to town and recovered from his surgery, all counsel cooperated in an attempt to schedule
19 the depositions necessary to prepare this case for trial. Unfortunately, the necessary depositions
20 could not be scheduled prior to the current discovery deadline due to conflicts between the four
21 attorney's schedule and the schedule of the deponents. To insure that the necessary depositions
22 will be taken before the close of the proposed extension of the discovery deadline, counsel have
23 conferred and set aside ten days in September and October for said depositions. Counsel have
24 already begun scheduling for October the various depositions that need to be taken to complete
25 trial preparation.

26 The parties request that the dispositive motion hearing deadline be extended to enable
27 them to complete discovery prior to having to file a motion for summary judgement.

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1 Likewise, the parties have requested an extension of the deadline to designate experts so
2 that Plaintiff's deposition may be completed before the parties have to decide which experts, if
3 any, to designate.

4 Moreover, various other unanticipated circumstances have resulted in a need for all
5 parties, in order to preserve expenses and the time of the court in potentially unnecessary motion
6 hearings, to agree that certain potential discovery issues relating to depositions of medical
7 providers and a possible mental exam of plaintiff, be temporarily delayed to allow the parties to
8 attempt to resolve the issues cooperatively amongst themselves. As a result, the parties have
9 agreed that should these issues not be resolved cooperatively, any disputes regarding an
10 entitlement to or the scope of any mental examination, including, but not limited to, the
11 production of relevant records from various medical providers, may be noticed for hearing no
12 later than November 17, 2006 in order to permit resolution of them prior to the deadline for
13 designating experts. Depositions of treating medical providers may be taken in the same manner
14 as depositions of experts.

15 The parties hereby represent to the Court that this request is not made to delay the
16 resolution of this case. Opposing counsel have cooperated in the attempt to complete discovery
17 in an expeditious manner. Moreover, if these extensions are granted, the parties represent that
18 no further extensions should be necessary and that the parties will be prepared to go to trial on
19 the original date set by this Court for trial, i.e. March 7, 2006.

20 **III. CONCLUSION**

21 For the reasons set forth above, the parties respectfully request an extension of the
22 following pretrial deadlines:

- 23 A. Discovery, from 9\30\06, to 10\31\06;
24 B. Dispositive Motion Hearing, from 10\13\06, to 12\18\06;
25 C. Expert Designation, from 10\16\06, to 11\30\06.

26 The parties further request that the Court permit hearing of any issues related to a mental
27 exam and production of related records be permitted to be set for hearing no later than November
28 17, 2006.

1 **Dated: September 19, 2006 LAW OFFICES OF LAWRENCE J. KING**

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3 By: s/Lawrence J. King
4 **Lawrence J. King**
ATTORNEY FOR PLAINTIFF

5 **Dated: September 19, 2006 BILL LOCKYER**
6 **Attorney General of the State of California**

7 By: s/William T. Darden
8 **William T. Darden**
9 **Deputy Attorney General**
ATTORNEYS FOR DEFENDANT
DEPARTMENT OF GENERAL SERVICES

10 **Dated: September 19, 2006 KAUFF McCLAIM & McGUIRE LLP**

11 By: s/Jeffrey D. Polsky
12 **Jeffrey D. Polsky**
13 **ATTORNEY FOR DEFENDANT INTER-**
CON SECURITY SYSTEMS, INC.

14 **Dated: September 19, 2006 CLANCEY, DOYLE & O'DONNELL**

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16 By: s/Daniel G. O'Donnell
17 **Daniel G. O'Donnell**
18 **ATTORNEY FOR DEFENDANT RAYMOND**
ASBELL

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ORDER

Having considered the parties' request and finding good cause therefor, the following pretrial deadlines shall be extended as follows:

Discovery, from 9/30/06, to 10/31/06;

Expert Designation, from 10/16/06, to 11/30/06;

Dispositive Motion Hearing, from 11/13/06, to 12/18/06 at 09:00 a.m.

Any issues related to a mental exam of plaintiff and production of related records will be set for hearing no later than November 17, 2006.

IT IS SO ORDERED.

Dated: September 27, 2006

A handwritten signature in blue ink, appearing to read "Morrison C. England, Jr.", is written over a horizontal line.

MORRISON C. ENGLAND, JR.
UNITED STATES DISTRICT JUDGE